

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

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:
BRIAN K. REINBOLD, :
:
Plaintiff, : Case No. 04-342 (GMS)
:
- vs. - :
:
NATIONAL ASSOCIATION OF LETTER :
CARRIERS BRANCH 1977, :
:
Defendant. :
:
-----X

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:
BRIAN K. REINBOLD, :
:
Plaintiff, : Case No. 05-047 (GMS)
:
- vs. - :
:
UNITED STATES POSTAL SERVICE and :
NATIONAL ASSOCIATION OF LETTER :
CARRIERS BRANCH 191, :
:
Defendants. :
:
-----X

**MOTION OF DEFENDANTS NATIONAL ASSOCIATION OF LETTER CARRIERS
BRANCH 191 AND BRANCH 1977 TO DISMISS COMPLAINT FOR FAILURE TO
PROSECUTE OR IN THE ALTERNATIVE TO COMPEL DISCOVERY**

Upon the accompanying memorandum of law and the entire record, Defendants National Association of Letter Carriers Branch 191 and Branch 1977 (the “Union Defendants”) hereby move this Court, pursuant to Federal Rules of Civil Procedure 37(a) and 41(b) and Local Rule 41.1, for an order (1) dismissing the above-captioned actions for failure to prosecute, or in the alternative (2) requiring Plaintiff Brian K. Reinbold to respond to the Union Defendants’

June 29, 2005 document requests and interrogatories and requiring Reinbold to pay the expenses the Union Defendants incurred in making this motion, including the Union Defendants' attorneys' fees.

Dated: November 2, 2005

/s/ Susan E. Kaufman

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Association of Letter Carriers Branch 1977

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UNITED STATES POSTAL SERVICE and	:	
NATIONAL ASSOCIATION OF LETTER	:	
CARRIERS BRANCH 191,	:	
	:	
Defendant.	:	
-----	X	

CERTIFICATE OF SERVICE

I hereby certify that on November 2, 2005, the foregoing **Motion of Defendants National Association of Letter Carriers Branch 191 and Branch 1977 to Dismiss Complaint For Failure to Prosecute or in the Alternative to Compel Discovery and Memorandum of Law in Support of the Motion to Dismiss / Compel and this Certificate of Service** were filed electronically with the Clerk of the Court to be served by operation of the Court's electronic

filing system upon Patricia Hannigan, Assistant United States Attorney, 1007 Orange Street, Suite 700, Wilmington, Delaware 19899, Counsel for Defendant United States Postal Service.

I hereby certify that on November 2, 2005, the foregoing was mailed by first-class mail to the following non-participant in Electronic Case Filing: Plaintiff Brian K. Reinbold, 3909 Delaware Street, Apt. #B, Wilmington, Delaware 19808-5709.

/s/ Susan E. Kaufman